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Firearms Ownership.

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Office of the Secretary of State
March Fong Eu

1230 J. Street
Sacramento, California 95814

ELECTIONS DIVISION
(916) 445-0820

For Hearing and Speech Impaired
Only:
(800) 833-8683

March 30, 1992

TO: ALL COUNTY CLERKS/REGISTRARS OF VOTERS AND PROPONENTS
(92100)

FROM:


CATHY MITCHELL
Initiative Coordinator

Pursuant to Elections Code section 3520(b), you are hereby notified that the total number of signatures to the hereinafter named proposed INITIATIVE CONSTITUTIONAL AMENDMENT filed with all county elections officials is less than 100 percent of the number of qualified voters required to find the petition sufficient; therefore, the petition has failed.

TITLE: FIREARMS OWNERSHIP.
INITIATIVE CONSTITUTIONAL AMENDMENT.

SUMMARY DATE: October 22, 1991

PROPONENTS: Senator Donald A. Rogers
Bernadine F. Smith

CM/cb



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#546

October 22, 1991

TO ALL REGISTRARS OF VOTERS, OR COUNTY CLERKS, AND PROPONENTS (91089)

Pursuant to Section 3513 of the Elections Code, we transmit herewith a copy of the Title and Summary prepared by the Attorney General on a proposed Initiative Measure entitled:

**FIREARMS OWNERSHIP.
INITIATIVE CONSTITUTIONAL AMENDMENT.**

Circulating and Filing Schedule

1. Minimum number of signatures required 615,958
Cal. Const., Art. II, Sec. 8(b).
2. Official Summary Date Tuesday, 10/22/91
Elec. C., Sec. 3513.
3. Petition Sections:
 - a. First day Proponent can circulate Sections for
signatures Tuesday, 10/22/91
Elec. C., Sec. 3513.
 - b. Last day Proponent can circulate and file with
the county. All sections are to be filed at
the same time within each
county Friday, 03/20/92
Elec. C., Secs. 3513, 3520(a)
 - c. Last day for county to determine total number of
signatures affixed to petition and to transmit total
to the Secretary of State Friday, 03/27/92*

(If the Proponents file the petition with the county on a date prior to 03/20/92, the county has five working days from the filing of the petition to determine the total number of signatures affixed to the petition and to transmit the total to the Secretary of State.) Elec. C., Sec. 3520(b).

* Date varies based on receipt of county certification.



- d. Secretary of State determines whether the total number of signatures filed with all county clerks meets the minimum number of required signatures, and notifies the counties Sunday, 04/05/92*
- e. Last day for county to determine total number of qualified voters who signed the petition, and to transmit certificate with a blank copy of the petition to the Secretary of State Friday, 04/24/92
- (If the Secretary of State notifies the county to determine the number of qualified voters who signed the petition on a date other than 03/27/92, the last day is no later than the fifteenth day after the county's receipt of notification.)
Elec. C., Sec. 3520(d), (e).
- f. If the signature count is more than 677,554 or less than 585,161, then the Secretary of State certifies the petition has qualified or failed, and notifies the counties. If the signature count is between 585,161 and 677,554 inclusive, then the Secretary of State notifies the counties using the random sampling technique to determine the validity of all signatures Monday, 05/04/92*
- g. Last day for county to determine actual number of all qualified voters who signed the petition, and to transmit certificate with a blank copy of the petition to the Secretary of State Tuesday, 06/16/92
- (If the Secretary of State notifies the county to determine the number of qualified voters who have signed the petition on a date other than 04/24/92, the last day is no later than the thirtieth working day after county's receipt of notification.)
Elec. C., Sec. 3521(b), (c).
- h. Secretary of State certifies whether the petition has been signed by the number of qualified voters required to declare the petition sufficient Saturday, 06/20/92*

* Date varies based on receipt of county certification.

**FIREARMS OWNERSHIP.
INITIATIVE CONSTITUTIONAL AMENDMENT.
October 22, 1991
Page 3**

4. The Proponents of the above-named measure are:

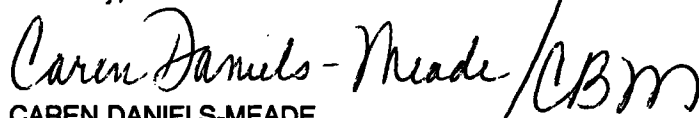
**Senator Donald A. Rogers
3500 Kaibab Avenue
Bakersfield, CA 93306
(916) 445-6637**

**Bernadine F. Smith
215 East Amber Way
Hanford, CA 93230
(209) 582-8534**

5. Important Points:

- (a) California law prohibits the use of signatures, names and addresses gathered on initiative petitions for any purpose other than to qualify the initiative measure for the ballot. This means that the petitions cannot be used to create or add to mailing lists or similar lists for any purpose, including fund raising or requests for support. Any such misuse constitutes a crime under California law. Elections Code section 29770; *Bilofsky v. Deukmejian* (1981) 123 Cal.App. 3d 825, 177 Cal.Rptr. 621; 63 Ops. Cal.Atty.Gen. 37 (1980).
- (b) Please refer to Elections Code sections 41, 41.5, 44, 3501, 3507, 3508, 3517, and 3519 for appropriate format and type consideration in printing, typing, and otherwise preparing your initiative petition for circulation and signatures. Please send a copy of the petition after you have it printed. This copy is not for our review or approval, but to supplement our file.
- (c) Your attention is directed to the campaign disclosure requirements of the Political Reform Act of 1974, Government Code section 81000 et seq.
- (d) When writing or calling state or county elections officials, provide the official title of the initiative which was prepared by the Attorney General. Use of this title will assist elections officials in referencing the proper file.
- (e) When a petition is presented to the county elections official for filing by someone other than the proponent, the required authorization shall include the name or names of the persons filing the petition.
- (f) When filing the petition with the county elections official, please provide a blank petition for elections official use.

Sincerely,

A handwritten signature in black ink that reads "Caren Daniels-Meade" followed by a stylized monogram "CBM".

**CAREN DANIELS-MEADE
Chief, Elections Division**

Attachment: POLITICAL REFORM ACT OF 1974 REQUIREMENTS

Date: October 22, 1991
File No.: SA 91 RF 0019

The Attorney General of California has prepared the following title and summary of the chief purpose and points of the proposed measure:

FIREARMS OWNERSHIP. INITIATIVE CONSTITUTIONAL AMENDMENT.

Bars public officials, the Legislature or any public body from denying, curtailing, prohibiting, taxing the right to bear arms and enacting or participating in the execution of laws or ordinances constituting registration of firearms or ammunition. Prohibits confiscation of firearms or ammunition. Provides that the right to purchase, own, possess, advertise, sell, lease, loan, manufacture, transport, or use arms and ammunition for defense, sport, recreation or associated activities, does not apply to convicted violent felons or individuals legally declared mentally incompetent. Includes other provisions and statements of policy. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local governments: The fiscal impact on state and local governments by this measure is unknown.

DANIEL E. LUNGREN
Attorney General

State of California
DEPARTMENT OF JUSTICE



1515 K STREET, SUITE 511
P.O. BOX 944255
SACRAMENTO, CA 94244-2550
(916) 445-9555

(916) 324-5464

October 22, 1991

Honorable March Fong Eu
Secretary of State
1230 J Street
Sacramento, CA 95814

FILED
In the office of the Secretary of State
of the State of California

OCT 22 1991

MARCH FONG EU, Secretary of State
By CB Mitchell
Deputy

RE: Initiative Title and Summary
Subject: FIREARMS OWNERSHIP.
INITIATIVE CONSTITUTIONAL AMENDMENT
Our File No. SA 91 RF 0019

Dear Mrs. Eu:

Pursuant to the provisions of sections 3503 and 3513 of the Elections Code, you are hereby notified that on this day we mailed to the proponents of the above-identified proposed initiative our title and summary.

Enclosed is a copy of our transmittal letter to the proponents, a copy of our title and summary, a declaration of mailing thereof, and a copy of the proposed measure.

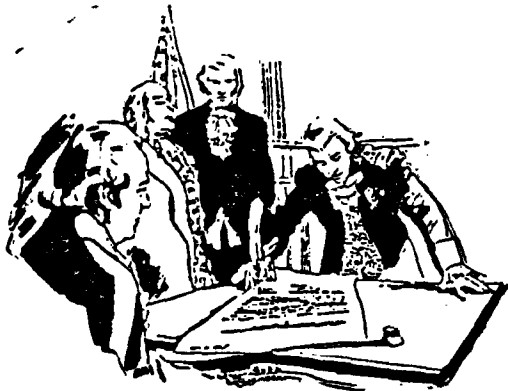
According to information available in our records, the names and addresses of the proponents are as stated on the declaration of mailing.

Sincerely,

DANIEL E. LUNGREN
Attorney General

Mary Whitcomb
MARY WHITCOMB
Initiative Coordinator

MW:
Encls.



 SECOND AMENDMENT COMMITTEE

(209) 582-8534

 P.O. BOX 1776

 HANFORD, CA 93232

August 29, 1991

 RECEIVED
 AUG 30 1991

State of California
 Office of the Attorney General
 1515 K Street - 6th Floor
 Sacramento, California 95814

INITIATIVE COORDINATOR
 ATTORNEY GENERAL'S OFFICE
Subject: Proposed Amendment to
 California State Constitution

Gentlemen:

Enclosed please find a certified check (No. 008507524) drawn by Wells Fargo & Company for the sum of \$200.00, dated August 23, 1991, made payable to State of California - Office of Attorney General, which covers the cost of filing our proposed Constitutional Amendment to the California State Constitution, relating to firearms, which we are planning to qualify for the November 1992 ballot.

This letter is requesting you to prepare a title and summary for the proposed measure. The full text is attached with this letter. For your information, the measure is exactly the same as you have reviewed, titled, and summarized in the past, with the exception of 6 words in the fourth paragraph, line 5 which reads:

....nor participate in the execution of...

It does not introduce a new thought. Outside of this, every comma and period and word is the same as in the past. I do hope you will be able to expedite your work. You may recall that the last time I filed the measure took a month more than expected because of an error in the work of the Legislative Analyst or the Director of Finance. I expect that we can guard against that this time.

The proponents of the measure are both registered voters and are listed as follows, residing at the addresses given:

Bernadine^F Smith
 215 East Amber Way
 Hanford, California 93230

State Senator Donald A. Rogers
 3500 Kaibab Avenue
 Bakersfield, California 93306

The article and section to which this proposed Constitutional Amendment would apply is Article I Section 1.5. We look forward to hearing from you.

Yours truly,

State Senator Donald A. Rogers, Proponent (916) 445-6637 work phone
 BFS:Enc. 2

Bernadine F. Smith, Proponent and Treasurer
 (209) 584-5209 or (209) 582-8534 (full time)

FULL

TEXT Article I Section 1.5 California State Constitution

[Reaffirmation of the Second Amendment of the United States Constitution]

Section 1.5. The right of the people to keep and bear arms, individually and collectively, is an inalienable, inherent, and natural right, acknowledged in the common law, confirmed by the Second Amendment of the United States Constitution, and secured by California's Act of Admission into the Union. The full and necessary exercise, affiliated activity, and benefits of this right are herein reaffirmed, guaranteed, and protected hereby from all infringements.

[Declaration of Interpretation of Right]

For purposes of clarification, and to prevent misconstruing, the right shall be interpreted so as to coincide and adhere to the reasonings and discourses made in behalf of the Second Amendment by the nation's founders who authored or otherwise contributed to the formation of that amendment, and so as to conform to the definitions in use at that time.

[Intent of Section]

The intent of this section is to reaffirm, to clarify, and to protect the right of the people of this state to, but not limited to, purchase, own, possess, advertise, sell, lease, loan, manufacture, transport, or use arms and ammunition for purposes of defense of person, family, home, property, liberty, defense and safety of the state, sport and recreation. This section shall not apply to convicted violent felons, or to an individual who has been adjudicated by a court to be a danger to others as a result of mental disorder or mental illness.

[Restraints on Various Branches of Government, their Public Officials, Servants or Employees]

No public official, whether an elected or non-elected person, in this state, or its subdivisions, nor the legislature, nor any other public body, shall deny, curtail, prohibit, or tax the right of the people to keep and bear arms; nor enact, nor participate in the execution of, any law which in any style, form, or manner constitutes the registration of the people's firearms or ammunition; nor take any action to promote, or to engage in, confiscation of firearms, which includes weapons of defense, well-suited to fend off invasion.

The right to keep and bear arms and ammunition is not subject to infringement or revocation by any branch of government, or from any other source, by reason of, but not limited to, ordinances, or other acts of local government, state acts, or any other legislation which subverts the intent of this section. The restraints in this section shall also apply to treaties and related legislation, to executive orders, and to martial rule.

[Repeal of Conflicting Provisions, State Laws, and Local Ordinances]

All constitutional provisions, state laws, and local government ordinances, which are inconsistent with the provisions hereof are hereby repealed. The provisions of this section shall be self-executing.

[Severability]

No part of this section is unconstitutional, in view of the fact that it is in keeping with the intents, purposes, laws, historical records of the nation's founders, and subsequent laws; however, if any part, clause, or phrase is charged with being unconstitutional by any branch of the judicial system, or by any other source, the remaining portions of this section shall not be affected but shall remain in full force and effect.

DANIEL E. LUNGREN
Attorney General

State of California
DEPARTMENT OF JUSTICE



1515 K STREET, SUITE 511
P.O. BOX 944255
SACRAMENTO, CA 94244-2550
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October 22, 1991

Senator Donald A. Rogers
3500 Kaibab Avenue
Bakersfield, CA 93306

Bernadine F. Smith
215 East Amber Way
Hanford, CA 93230

RE: Initiative Title and Summary
Subject: FIREARMS OWNERSHIP.
INITIATIVE CONSTITUTIONAL AMENDMENT
Our File No. SA 91 RF 0019

Dear Proponents:

Pursuant to your request, we have prepared the attached title and summary of the chief purposes and points of the above-identified proposed initiative. A copy of our letter to the Secretary of State, as required by Elections Code sections 3503 and 3513, our declaration of mailing, and the text of your proposal that was considered is attached.

The Secretary of State will be sending you shortly a copy of the circulating and filing schedule for your proposal that will be issued by that office.

Please send us a copy of the petition after you have it printed. This copy is not for our review or approval, but to supplement our file in this matter.

Sincerely,

DANIEL E. LUNGREN
Attorney General

Mary Whitcomb
MARY WHITCOMB
Initiative Coordinator

MW:
Encls.

DECLARATION OF MAILING

The undersigned Declarant states as follows:

I am over the age of 18 years and not a proponent of the within matter; my place of employment and business address is 1515 K Street, Suite 511, Sacramento, California 95814.

On the date shown below, I mailed a copy or copies of the attached letter to the proponents, by placing a true copy thereof in an envelope addressed to the proponents named below at the addresses indicated, and by sealing and depositing said envelope or envelopes in the United States mail at Sacramento, California, with postage prepaid. There is delivery service by United States mail at each of the places so addressed, or there is regular communication by mail between the place of mailing and each of the places so addressed.

Date of Mailing: October 22, 1991

Initiative Title and Summary

Subject: FIREARMS OWNERSHIP.
INITIATIVE CONSTITUTIONAL AMENDMENT
Our File No. SA 91 RF 0019

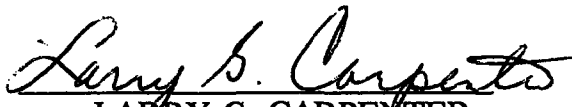
Name of Proponents and Addresses:

Senator Donald A. Rogers
3500 Kaibab Avenue
Bakersfield, CA 93306

Bernadine F. Smith
215 East Amber Way
Hanford, CA 93230

I declare under penalty of perjury that the foregoing is true and correct.

Executed at Sacramento, California, on: October 22, 1991.


LARRY G. CARPENTER
Declarant

546

INITIATIVE CHECK LIST

Phone Notification from AG - Date/Time: 10/22/91 - 9:00

Title of Initiative: Firearms Ownership.

Type of Initiative: ✓ CA S CA and S

Number of Pages: 2 Number of Proponents: 2

Date and Time Initiative will be ready for delivery: 10/22/91 - 10:00

Initial/Date/Time

1. da 10/22 9:30 Deirdre informs Caren, Cathy, Media and Gabrielle (copy room) the day and time initiative will be ready for delivery.
2. da 10/22 10:00 Deirdre gives check list to Caroline to prepare calendar.
3. da 10/22 10:10 Caroline prepares and proofs calendar and log and returns both to Deirdre.
4. da 10/22 10:15 Deirdre proofs calendar and log.
5. da 10/22 10:16 Deirdre gives final calendar and log to Cathy.
6. cbm 10/22 10:50 Cathy reviews and has ^{cbm}Caren sign. Cathy returns signed calendar to Deirdre.
7. da 10/22 11:30 Deirdre makes copies of initiative calendar for each proponent.
8. da 10/22 2:00 Deirdre attaches copy of Political Reform Act of 1974 Requirements to proponent's copy of initiative calendar.
9. da 10/22 2:10 Deirdre prepares Mail/Freight Request Form. Deirdre hand carries Mail/Freight Request form and initiative calendar for each proponent (ready for mailing) to Service and Supply. Initiative calendar sent on 10/22/91 (date) to each proponent.
10. da 10/22 3:00 (This must be sent to each proponent same day AG prepares Title & Summary).
Deirdre advises Cathy when initiative calendar is sent to proponent(s).

INITIATIVE CALENDAR CHECK LIST
PAGE

11. da 10/24/11 30 Deirdre distributes copies of initiative calendar same day AG prepares Title & Summary to :
- ☒ Tony
 - ☒ Media
 - ☒ Jerry
 - ☒ Cathy
12. da 10/24/8 30 Deirdre distributes copies of initiative calendar to:
- ☒ All CC/ROV
 - ☒ Political Reform (2 copies)
 - ☒ Elections Staff
 - ☒ Initiative Mailing List
 - ☒ Extra copies for public distribution
 - ☒ Master copy
13. da 10/24/10:00 Deirdre advises Cathy of completion of above distribution.
14. da 10/24/10:00 Deirdre makes copies of log and distributes as follows:
1. Initiative canvass binder
 2. Vi Daniels (Initiative Mailing List)
 3. Melodi Andersen (Archives)
 4. Oliver Cox
 5. Initiative Clipboard
 8. Media Office
15. 10/24/91 Dale Jennifer prepares folder for public distribution.
16. OB 10/24 4:50 Jennifer prepares index cards for each initiative.
17. 10/22/2:15 da Deirdre staples Mail/Freight Request form to back of INITIATIVE CHECK LIST.
18. da 10/24 5:00 Deirdre returns completed INITIATIVE CHECK LIST to Caren.
19. am 10/29/12 Caren returns check list to Cathy.

ELECTIONS DIVISION

Mail/Freight Request

Mail submitted to Mail Room:

10/22 , 2:15
Date Time

Request Mail to be sent no later than:

10/22
Date

☐ 1st Class Mail

Charges:

Amount: .29

Pieces: 2

Mail room sent requested mail on:

10/22/91

Initial (Service and Supply)